

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, APPROVING AN EXCEPTION TO
FORMAL BIDDING PROCEDURES AND AWARDING A
SOLE SOURCE CONTRACT TO THE WATER GROUP,
LLC.

WHEREAS, the Water Division, under the Department of Public Utilities wishes to install an Energy Passive Groundwater Recharge Product at one of the groundwater recharge basins at the City of Fresno's Leaky Acres Groundwater Recharge Facility over the formal bid limit from a "sole source" without competitive bidding; and

WHEREAS, the Water Division endeavors to increase groundwater recharge infiltration rates, and installation of this product will help achieve that goal; and

WHEREAS, installation of the Energy Passive Groundwater Recharge Product (EGRP) is unique in its ability to increase infiltration rates; and

WHEREAS, Water Division staff have researched alternative products and conclude that this is the only product of its kind that extends significant potential to increase groundwater infiltration rates; and

WHEREAS, key benefits include initial product installation at no cost to the City,; a potential four-fold increase to groundwater infiltration rates, no external power source is required for product operation, product operations are maintenance free and self-cleaning, a 25-year manufacturer guarantee and 5-year performance guarantee to maintain a three-fold increase of current 'pre-project' infiltration rates; and

WHEREAS, installation of this product will aid the City of Fresno in meeting its long term water resource goals for a balanced and sustainable water resources portfolio by 2025 as defined in the City's Metropolitan Water Resources and Urban Water Management Plans; and

WHEREAS, through extensive internet research and reaching out to industry leaders, the Water Division has determined that the EGRP product is only available through The Water Group; and

WHEREAS, City Charter Section 1208 requires advertised competitive bidding for equipment involving the expenditure of City monies in excess of \$135,000, unless Council determines the goods to be supplied can only be provided by one source and the purchase is authorized by resolution of Council containing a declaration of the facts constituting the sole source; and

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

WHEREAS, the City Manager has approved the installation of the proposed sole source product from The Water Group and now seeks Council approval for installation of the proposed product.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council has received and considered the report and recommendations of City Staff.

2. Install the EGRP product at the Leaky Acres Groundwater Recharge Facility as provided by The Water Group, LLC..

3. In spite of our efforts, the Water Division have been able to locate only one supplier of the product in question. The Water Group, LLC., is the sole source license holder of this product.

3. This resolution finds proper for the City to suspend the competitive bidding requirement in this instance and to authorize the installation of the EGRP product under the sole source exception.

5. The Director of Public Utilities or designee is hereby authorized to sign all documents on behalf of the City for installation of the EGRP product from The Water Group, LLC..

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2017.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2017
Mayor Approval/No Return: _____, 2017
Mayor Veto: _____, 2017
Council Override Vote: _____, 2017

YVONNE SPENCE, MMC
City Clerk

By: _____

Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Brandon M. Collet Date
Deputy City Attorney